CLASSIFICATION OFFICE DECISION

Title of publication:	Untitled aka P19
Other known title(s):	Photograph (P19)
OFLC ref:	0802446.018
Medium:	Computer Image File Printout
Publisher:	Not stated
Country of origin:	Not stated
Language:	Not applicable
Applicant:	Commissioner of Police
Classification:	Objectionable.
Descriptive note:	None
Display conditions:	None
Date of entry in Register:	27 July 2009
Date of direction to issue a label:	No direction to issue a label has been issued

Summary of reasons for decision:

This computer image file printout contains an image of a girl who appears to be an older child or young teenager. She is posed naked, in a manner that invites the viewer's close inspection of her body. The overall effect is that of an image that is reasonably capable of being regarded as sexual in nature, and the publication can fairly be said to exploit the nudity of children and young persons. The publication is a printout of a computer image file; a format is highly suitable for sharing the images and for private viewing conducive to a sexual response. It is highly likely that the depicted girl's nudity is exploited with sexual intent in this context. Therefore, the publication exploits the nudity of children and young persons in such a manner that its availability is likely to be injurious to the public good.

The classification of this publication interferes with the freedom of expression as set out in s14 of the New Zealand Bill of Rights Act 1990. This outcome is consistent, however, with Parliament's intention in the Films, Videos, and Publications Classification Act 1993 to limit the availability of publications that exploit the nudity of children or young persons in such a manner.